

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ILSE MARQUES,) NO. CV 10-4099 FMO
Plaintiff,)
v.) **ORDER TO SHOW CAUSE**
LAW OFFICES OF HAROLD E.)
SCHERR,)
Defendant.)

)

Defendant's Answer to plaintiff's Complaint was due on August 2, 2010. It appears from the record that defendant's Answer has not been filed as of the date of this Order.

Accordingly, IT IS HEREBY ORDERED THAT, on or before **September 28, 2010**, plaintiff shall show cause, if any, why this action should not be dismissed for plaintiff's failure to prosecute this action. **Plaintiff shall attempt to show such cause in writing by filing a declaration signed under penalty of perjury.¹ In particular, plaintiff's declaration must address why a Motion for Entry of Default has not been filed, even though defendant's Answer was due more than 36 days ago. Failure timely to file such a declaration or to show**

¹ Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Local Rule 7-15, oral argument on this Order to Show Cause will not be heard unless ordered by the court. Upon the filing of a Response, the Order to Show Cause will stand submitted.

1 cause as ordered will result in dismissal of this action for failure to prosecute and/or to
2 comply with a court order.

3 Filing of the Motion for Entry of Default or an Answer to the Complaint shall be a
4 satisfactory response to the Order to Show Cause. However, absent exceptional
5 circumstances, no extensions will be granted for the filing of the Motion for Entry of Default
6 or an Answer.

7 **IT IS SO ORDERED.**

8 Dated this 8th day of September, 2010.
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10 _____ /s/
11 Fernando M. Olguin
United States Magistrate Judge
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